UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| CHINESE AUTOMOBILE DISTRIBUTORS OF AMERICA, LLC, a limited liability company, individually and, with respect to certain claims, in a derivative capacity, | : | ELECTRONICALLY FILED |
| Plaintiff, | : | NOTICE OF MOTION |
| v. | : | 07 Civ. 4113 (LLS) |
| MALCOLM BRICKLIN, an individual; JONATHAN BRICKLIN, an individual; BARBARA BRICKLIN JONAS, an individual MICHAEL JONAS, an individual; SCOTT GILDEA, an individual; and VISIONARY VEHICLES, LLC, a limited liability company, | : | |
| Defendants. | : | |

PLEASE TAKE NOTICE, that upon the annexed August 2, 2007 Declaration of Stephen Jacobs, the exhibit attached thereto, the accompanying Memorandum of Law, and all prior pleadings and proceedings in this action, defendant Scott Gildea will move this Court, on August 23, 2007 at 9:30 a.m., before the Honorable Louis L. Stanton, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order dismissing plaintiff's Complaint for (a) lack of subject matter jurisdiction, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure ("FRCP") and 28 U.S.C. § 1367 and (b) failure to state a claim upon which relief can be granted and to plead such a claim with adequate specificity, pursuant to

FRCP 12(b)(6) and FRCP 9(b); and (2) granting such other relief as the Court may deem just and proper.

Dated: New York, New York
August 2, 2007

Respectfully submitted,

LANDMAN CORSI BALLAINE & FORD P.C.

By: ______________________________

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